



NORFOLK

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March 22, 2016

To the Honorable Council
City of Norfolk, Virginia

R-5

Re: Ordinance to Amend Norfolk City
Code Sections 28-11 and 28-12(a)

Dear Ladies and Gentlemen:

Attached please find an ordinance amending Norfolk City Code Sections 28-11 and 28-12(a) concerning nudity. The ordinance adds an exception allowing for breastfeeding in public places to conform with the Code of Virginia's provisions on the subject.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "B. Pishko", written over a horizontal line.

Bernard A. Pishko
City Attorney

Recommendation: Adopt Ordinance

Form and Correctness Approved: *RAP*

By *John E. Clond*

Office of the City Attorney

Contents Approved:

By *B. White*

DEPT.

City Attorney

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND AND REORDAIN SECTION 28-11 AND SECTION 28-12(a) OF THE NORFOLK CITY CODE, 1979, CONCERNING INDECENT EXPOSURE AND PUBLIC NUDITY **SO AS TO** ADD AN EXCEPTION TO CONFORM WITH THE CODE OF VIRGINIA REGARDING BREASTFEEDING.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Section 28-11 of the Norfolk City Code, 1979, is hereby amended and reordained to read as follows:

Sec. 28-11. Indecent exposure generally.

No person in this city shall intentionally make an obscene display or exposure of his person, or the private parts thereof, in any public place or in any place where others are present, or procure another to so expose himself. No person shall be deemed to be in violation of this section for breastfeeding a child in any public place or any place where others are present.

Section 2:- That Section 28-12(a) of the Norfolk City Code, 1979, is hereby amended and reordained to read as follows:

Sec. 28-12. Public nudity.

(a) It shall be unlawful for any person to knowingly, voluntarily and intentionally appear in public, or in a public place, in a state of nudity in this city, or employ, encourage or procure another person to so appear, or aid or abet another person who so appears. No person shall be deemed to be in violation of this section for breastfeeding a child in any public place or any place where others are present.

Section 3:- That this ordinance shall be in effect from and after its adoption.